

Report Date: October 30, 2015

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Antonio DeJesus Magana

Case Number: 0980 2:12CR02044-RMP-1

Address of Offender: [REDACTED] Grandview, Washington 98930

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Chief U.S. District Judge

Date of Original Sentence: December 13, 2012

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 24 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ian Lloyd Garriques

Date Supervision Commenced: January 31, 2014

Defense Attorney: TBD

Date Supervision Expires: January 30, 2017

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On September 16, 2015, Mr. Magana plead guilty to criminal trespass, a misdemeanor offense.

On April 20, 2015, in the city of Grandview, police responded to a call of shots fired. As officers responded to the reported location, Mr. Magana was observed running from the area jumping fences. He was contacted by officers as he was running through a yard and was taken into custody. Mr. Magana posted bail pending a trial. On September 16, 2015, Mr. Magana plead guilty to criminal trespass, case number 5Z0173329. Yakima County District Court imposed 90 days jail with 90 days suspended, remain law abiding for two years, and a fine in the amount of \$493.

- 2 **Mandatory Condition # 4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Prob12C

Re: Magana, Antonio DeJesus

October 30, 2015

Page 2

Supporting Evidence: Mr. Magana failed to report to Merit Resource Services (Merit) for random urinalysis (UA) testing on September 15, 2015, September 24, 2015, October 6, 2015, October 14, 2015, and October 22, 2015.

On August 25, 2015, this officer informed Mr. Magana that he was set up on the Merit color line system for random UA testing. Mr. Magana was instructed to call the Color Line daily beginning on September 1, 2015. Mr. Magana failed to report to Merit for random UA testing during the months of September and October 2015.

- 3 **Special Condition # 14:** You shall not associate with known criminal street gang members or their affiliates.

Supporting Evidence: On September 27, 2015, Mr. Magana was associating with a known criminal street gang member.

On September 27, 2015, a Grandview Police Officer made contact with Mr. Magana and Jose Gonzalez, a documented criminal street gang member. On October 6, 2015, this officer conducted a home visit and met with Mr. Magana. He admitted to associating with Mr. Gonzalez when he was contacted by the Grandview Police Officer. Mr. Magana stated that Mr. Gonzalez had released from jail that day and he was catching up with him.

- 4 **Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Magana admitted to consuming methamphetamine on October 5, 2015.

On October 6, 2015, this officer conducted a home visit and met with Mr. Magana. When asked if he had reported to Merit for UA testing, Mr. Magana stated he had not. Mr. Magana disclosed that he consumed methamphetamine on October 5, 2015.

- 5 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Magana failed to report in person to the U.S. Probation Office on October 23, 2015.

On October 22, 2015, this officer conducted a home visit and met with Mr. Magana. Mr. Magana had a poor attitude towards this officer's presence. Mr. Magana was instructed to report in person to the U.S. Probation Office in Yakima on October 23, 2015, but he failed to report as directed.

Prob12C

Re: Magana, Antonio DeJesus

October 30, 2015

Page 3

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/30/2015

s/Arturo Santana

Arturo Santana
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

11/2/2015

Date